

1 PAUL J. RIEHLE (SBN 115199)
2 paul.riehle@faegredrinker.com
FAEGRE DRINKER BIDDLE & REATH
3 LLP
4 Four Embarcadero Center
San Francisco, CA 94111
Telephone: (415) 591-7500
Facsimile: (415) 591-7510
5
6 CHRISTINE A. VARNEY (*pro hac vice*)
cvarney@cravath.com
7 KATHERINE B. FORREST (*pro hac vice*)
kforrest@cravath.com
8 GARY A. BORNSTEIN (*pro hac vice*)
gbornstein@cravath.com
YONATAN EVEN (*pro hac vice*)
yeven@cravath.com
LAUREN A. MOSKOWITZ (*pro hac vice*)
lmoskowitz@cravath.com
JUSTIN C. CLARKE (*pro hac vice*)
jcclarke@cravath.com
M. BRENT BYARS (*pro hac vice*)
mbyars@cravath.com
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700
15
16 *Attorneys for Plaintiff and Counter-defendant Epic Games, Inc.*
17 [Additional counsel appear on signature page]
18

THEODORE J. BOUTROUS JR. (SBN 132099)
tboutrous@gibsondunn.com
RICHARD J. DOREN (SBN 124666)
rdoren@gibsondunn.com
DANIEL G. SWANSON (SBN 116556)
dswanson@gibsondunn.com
JAY P. SRINIVASAN (SBN 181471)
jsrinivasan@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7000
Facsimile: 213.229.7520
VERONICA S. MOYE (*pro hac vice*)
vlewis@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, TX 75201
Telephone: 214.698.3100
Facsimile: 214.571.2900

CYNTHIA E. RICHMAN (*pro hac vice*)
crichman@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Telephone: 202.955.8500
Facsimile: 202.467.0539

Attorneys for Defendant and Counterclaimant Apple Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

22 EPIC GAMES, INC.,
23 *Plaintiff, Counter-defendant,*
24 vs.
25
26 APPLE INC.,
27 *Defendant, Counterclaimant.*

No. 4:20-CV-05640-YGR-TSH

STIPULATION AND [PROPOSED] ORDER REGARDING WITHDRAWAL OF EXHIBITS FROM EVIDENCE

Hon. Yvonne Gonzalez Rogers

1

2 IT IS HEREBY STIPULATED, subject to the approval of the Court:

3 The exhibits listed in the table below were admitted into evidence in connection with
 4 opinions to be offered by Epic rebuttal experts Drs. Mathiowetz and Lee. (See ECF Nos. 682,
 5 715.) Epic did not call Drs. Mathiowetz or Lee to testify at trial and subsequently withdrew their
 6 written testimony, Ex. Expert 14 and Ex. Expert 15, respectively. (See ECF No. 723.)
 7 Accordingly, the parties hereby jointly agree to withdraw the following exhibits from the trial
 8 record.

Exhibit
PX-0009
PX-1164
PX-1165
PX-2090
PX-2118
PX-2174
PX-2309
PX-2337
PX-2350
PX-2378
PX-2500
PX-2508
PX-2534
PX-2535
PX-2826

20 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

21

22

23

24

25

26

27

28

1
2 Dated: May 23, 2021
3
4
5

CRAVATH, SWAINE & MOORE LLP
Christine A. Varney (*pro hac vice*)
Katherine B. Forrest (*pro hac vice*)
Gary A. Bornstein (*pro hac vice*)
Yonatan Even (*pro hac vice*)
Lauren A. Moskowitz (*pro hac vice*)
M. Brent Byars (*pro hac vice*)

6 FAEGRE DRINKER RIDDLE & REATH
7 LLP
8

Paul J. Riehle

9 By: /s/ Justin C. Clarke
10 Justin C. Clarke
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000

11 *Attorneys for Plaintiff and*
12 *Counter-defendant Epic Games, Inc.*

13
14 Dated: May 23, 2021
15
16
17

GIBSON, DUNN & CRUTCHER LLP
Theodore J. Boutrous Jr.
Richard J. Doren
Daniel G. Swanson
Jay P. Srinivasan
Mark A. Perry
Veronica S. Moye
Cynthia E. Richman

18
19 By: /s/ Rachel S. Brass
20 Rachel S. Brass
555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
(415) 393-8200

21
22 *Attorneys for Defendant and*
Counterclaimant Apple Inc.

23
24
25
26
27
28
STIPULATION AND [PROPOSED] ORDER REGARDING WITHDRAWAL OF EXHIBITS
FROM EVIDENCE
Case No.: 4:20-cv-05640-YGR-TSH

1 PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO
2 ORDERED.

3 DATED: _____

4 HON. YVONNE GONZALEZ ROGERS
5 United States District Court Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

-4-

STIPULATION AND [PROPOSED] ORDER REGARDING WITHDRAWAL OF EXHIBITS
FROM EVIDENCE
Case No.: 4:20-cv-05640-YGR-TSH

